

11-22-89
123.8v.5

372920
Escrow 37246A-JF

FILED FOR RECORD AT THE REQUEST OF:

AFTER RECORDING RETURN TO:

Mr. Phillip J. Nicolai
Senior Property and Acquisition
Manager
Port of Seattle
Post Office Box 1209
Seattle, Washington 98104

FILED FOR RECORD AT REQUEST OF
TICOR TITLE INSURANCE CO
1008 WESTERN AVE., SUITE 200
SEATTLE, WA 98104

KING COUNTY
NO EXCISE TAX
DEC 05 1989
E1102040

STATUTORY WARRANTY DEED

The Grantor, ASH GROVE CEMENT WEST, INC., a Nevada corporation, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, conveys and warrants to the PORT OF SEATTLE, a Washington municipal corporation, the Grantee, the following-described real estate situated in King County, Washington:

THOSE PORTIONS OF LOTS 19 AND 20, BLOCK 379, SEATTLE TIDE LANDS, AND THE NORTH HALF OF VACATED SOUTH DAKOTA STREET DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF VACATED SOUTH DAKOTA STREET AND THE WEST MARGIN OF WEST MARGINAL WAY SOUTH AS ESTABLISHED BY BEING THE WESTERLY LINE OF THAT CERTAIN PARCEL OF REAL PROPERTY CONVEYED TO THE STATE OF WASHINGTON UNDER RECORDING NO. 4861150 FOR STATE HIGHWAY NO. 1; PROCEED NORTH 6°36'17" WEST ALONG SAID WEST MARGIN A DISTANCE OF 151.53 FEET; THENCE SOUTH 26°23'23" WEST A DISTANCE OF 43.00 FEET; THENCE NORTH 63°36'37" WEST A DISTANCE OF 3.50 FEET TO THE SOUTHEASTERLY EDGE OF A CONCRETE WALL FOOTING; THENCE ALONG SAID FOOTING EDGE AND EDGE OF CONCRETE ENTRY THE FOLLOWING FOUR COURSES AND DISTANCES: SOUTH 26°23'23" WEST 30.73 FEET; SOUTH 39°39'56" WEST 56.82 FEET; SOUTH 56°31'11" WEST 55.36 FEET AND SOUTH 72°52'08" WEST 39.93 FEET TO AN INTERSECTION WITH THE CENTERLINE OF SAID DAKOTA STREET; THENCE EAST ALONG SAID CENTERLINE A DISTANCE OF 173.92 FEET TO THE POINT OF BEGINNING;

SUBJECT TO THE FOLLOWING:

1. 1989 general taxes and annual drainage service charges;

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89/12/05
REC'D F 8.00
REC'D FEE 2.0223T
CASHSL ***10.00
55

1895 R

USEPA SF
1261542

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RECEIVED THIS DAY
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BY THE DEPT. OF
RECORDS & ADMIN.
KING COUNTY

2. Right of the City of Seattle to reconstruct, operate, and maintain the existing overhead utility in said West Dakota Street until such time as the beneficiaries of the vacation thereof arrange with the owner of said utility for its removal, reserved in ordinance No. 80964 of the City of Seattle by which said West Dakota Street was vacated;

3. Relinquishment of right of access to state highway and of light, view, and air, under terms of deed to the State of Washington:

Recorded : December 27, 1957
Auditor's File No. : 4861150

4. An easement with provisions, conditions, and covenants as may be set forth therein.

For : 2 Standard Gauge Railroad Tracks
In favor of : Parr Industrial Corporation
Reflected of record
by instrument Re-
corded : January 6, 1958
Auditor's File No. : 4862994
Affects : STRIP OF LAND IN BLOCK 378 SEATTLE TIDE
LANDS AND IN NORTHERLY 50 FEET OF WEST
DAKOTA STREET AS SAID STREET WAS VACATED
UNDER ORDINANCE NO. 80946 OF CITY OF
SEATTLE IN SECTION 18, TOWNSHIP 24
NORTH, RANGE 4 EAST, W.M., IN KING
COUNTY, WASHINGTON, DESCRIBED AS
FOLLOWS:

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BEGINNING AT A POINT ON LINE BETWEEN LOTS 20 AND 21 SAID BLOCK 378 WHICH POINT IS 22 FEET WEST OF WEST LINE OF EAST MARGINAL WAY; THENCE NORTH ON LINE PARALLEL WITH WEST LINE OF EAST MARGINAL WAY A DISTANCE OF 100.09 FEET; THENCE SOUTH 3°57'31" WEST 86.91 FEET TO POINT OF CURVE TO RIGHT HAVING RADIUS OF 211.88 FEET; THENCE FOLLOWING CURVE TO RIGHT A DISTANCE OF 236.19 FEET TO AN INTERSECTION WITH CENTERLINE OF SAID VACATED WEST DAKOTA STREET; THENCE EAST ALONG SAID CENTERLINE OF VACATED WEST DAKOTA STREET A DISTANCE OF 48.08 FEET TO POINT OF CURVE TO LEFT HAVING RADIUS OF 226.23 FEET; THENCE FOLLOWING SAID CURVE TO LEFT A DISTANCE OF 164.30 FEET; THENCE NORTH 6°36'17" WEST 36.94 FEET TO THE POINT OF BEGINNING; and

5. Agreement for side sewer connection, whereby, in consideration of a permit to construct a side sewer to connect said premises in such a manner that more than one single residence building is connected to one side sewer, not conforming to the requirements of Ordinance of the City of

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Seattle, or as may be amended, do hereby agree to indemnify and save harmless the City of Seattle from all future damages resulting from such connection. This agreement shall be a covenant running with the land and shall be binding upon all parties, their heirs, and assigns forever.

Dated : January 5, 1969
Executed by : Lone Star Cement Corporation
To : City of Seattle
Recorded : May 5, 1969
Auditor's File No. : 6505870

6. An easement for electric underground distribution facilities in favor of the City of Seattle, reflected of record by instrument recorded March 13, 1989, under Auditor's File No. 8903130351.

7. Conditions of approval as shown on the face of City of Seattle lot boundary adjustment No. 8806165 recorded under Auditor's File No. 8903130351.

The Grantor reserves to itself, its successors, and assigns a perpetual, nonexclusive easement appurtenant to its adjoining property for ingress and egress over the northern 40.52 feet of the above-described real estate (i.e., that portion located at least 110 feet from the southern boundary thereof). The Grantor shall keep the easement property in proper maintenance and repair, shall not erect fences of any kind on the easement property, and shall not interfere with the Grantee's reasonable vehicular or rail access to the above-described real estate or the Grantee's adjoining property.

DATED the 22nd day of November, 1989.

ASH GROVE CEMENT WEST, INC.

By George M. Wells
George M. Wells
President

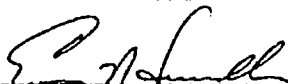
STATE OF OREGON)
COUNTY OF MULTNOMAH) SS

I certify that I know or have satisfactory evidence that George M. Wells is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument,

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and acknowledged it as the President of Ash Grove Cement West, Inc., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED the 22nd day of November, 1989.



Notary Public for Oregon
My commission expires: Feb 27, 1990

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